want our people to know that the English people were not our enemies in the time of the Civil War; that Lord John Russell and Lord Palmerston no more truly represented the English people then than Lord Salisbury represented the English people last December in refusing arbitration on the Venezuela question. How quickly the tone was changed when Parliament assembled and Harcourt and Balfour and the rest—Liberals and Conservatives alike — were heard. The great mass of the best English thought and feeling, from Cobden and Bright to the millions of workingmen, was with us in the Civil War, praying and working for our success. The best English thought and feeling were with us in the Revolution, and have always been with us. These things the people need to know. When they know them, when they have the true view of English history in its relation to America, the century-old hatred and grudge will begin to die, and eternal peace between the two nations will be sure.

THE SUBSTITUTION OF LAW FOR WAR.

BY REV. LYMAN ABBOTT, D. D.

I consider the substitution of law for war, as a means of settling controversy between nations, as the natural climax and culmination of eighteen centuries of Christian civilization, and I am glad to be permitted to say the least word, I am glad to be permitted to exercise the least influence, on behalf of so grand a movement. I am afraid that I shall do little this evening except to contribute a little of that enthusiasm, a little of that idealism, which the Hon. Mr. Kasson thinks of no great value. None the less, I do think it is important that we should understand, not merely what is practicable to-day, not merely what diplomatists are thinking about it, but what is the final issue to be reached, not merely what diplomatists are thinking, but what God Almighty is thinking about it. (Applause.)

The issue presented before us is a perfectly simple one. On the one hand is the appeal to force, on the other the appeal to reason, as a method of determining controversies among mankind. It is the question between law and war. We have had a definition of law to-night from a distinguished member of the bar; law, he said, is the application of the principles of justice to the affairs of mankind. I hold in my hand a definition of war by one of our most distinguished jurists and statesmen, Charles Sumner. "War," said he, "is a public armed contest between nations under the sanction of international law, to establish justice between them." Here are these two definitions: law is the method of the administration of justice between individuals, war is the method of the administration of justice between nations. War is not mere incidental fighting, it is regulated by international law, it is the established, recognized method of determining what is justice between nation and nation. On the one hand, then, we have the appeal to reason, the determination of the question by an impartial and judicial tribunal, of what is just between man and man; on the other hand we have the appeal to force to determine what is just between nation and nation. Formerly, as has been pointed out, the question of justice between individual and individual was settled by wager of battle. All the circumstances were settled by law. Then we had private war, with which all Europe was deluged for I know not how many centuries,— noble fighting against noble, family against family, city against city. All that has passed away; no longer does individual fight with individual, no longer does city fight with city,— but still nation fights with nation. And what some of us stand for here to-day is the absolute substitution of law for war as the means of settling all controversies between nations, as the only method by which justice can be determined. Law demonstrates justice, war only demonstrates power. Law is civilization, war is barbarism. And if any one here thinks that utterance is too little respectful to the army, I will quote instead the words of one of America's greatest generals: "You tell me war is glory? I tell you it is hell."

I stand then, first, for this; — the establishment of a permanent tribunal to decide what is just between nation and nation. Let us understand clearly what this means. Government has three separate functions, the legislative, the judicial, the executive. The legislative determines the will of the nation; we do not propose a legislature for Christendom. The judicial determines what is justice between individuals; we do propose a judicial body for Christendom to determine what is justice between nations. The executive enforces the decrees of the legislative and the decrees of the courts; we do not propose an executive for Christendom. The courts do not enforce their decrees; their decrees are enforced for them. When Judge Earl, sitting in the Court of Appeals, decides that one man owes another man a thousand dollars, he does not go himself and compel the defendant to pay the plaintiff; that is done for the court by another branch of the government. It is done by the sheriff, if necessary by the *posse comitatus;* if the *posse comitatus* is not enough, by the militia; if the militia is not enough, by the army of the United States. The decrees of the court, with few if any exceptions, are enforced not by the court, but by the executive department of the government. What we are contending for is not an executive to compel the nations to obey decrees of court; what we are contending for is this: by a common agreement, the organization of a tribunal which shall decide what is just between nation and nation. Professor Clark has shown very clearly that the enforcement of justice will come, not from above, over the nations, but from below, within the nations.

For this purpose we insist upon a permanent tribunal. Let us understand what that means. A permanent tribunal does not mean, as has been implied on this floor, a court of six or nine or twelve men sitting twelve months in the year, most of the time with nothing to do. It means a body with a permanent judicial life. Its permanence does not depend upon the permanence of the personality of which it is composed. The State of Iowa has a legislature which sits three months out of twenty-four, but it has a permanent legislature. The Supreme Court of the United States is a permanent tribunal, and yet I venture to say there is not a person on the bench to day who was there when our presiding officer was a boy. The permanence of the court does not depend on the permanent tenure of the individuals that constitute the court; the judge is not the same, the jury is not the same. A permanent tribunal means this,— not the same men sitting continually, not necesarily the same men sitting to try any two cases; it means the public official recognition of a tribunal which has a judicial history and a judicial life. That is vital, for two reasons; first, because the very existence of such a tribunal prevents controversy. The very fact that there is a body to which two men may come prevents their getting into a battle. And second, because a per-

manent tribunal, by every decision, settles a principle as well as a controversy.

I do not remember the year,— it was somewhere about 1830, I think,— that a question was submitted to the Supreme Court of the United States, whether the State of New York could grant a license giving Fulton a monopoly to run steamships on the Hudson River. The controversy arose between the State of New Jersey and the State of New York upon that point. When the Supreme Court of the United States said, "No, the navigable waters of this nation flow unfettered to the sea, and no State may build a bar across them," it decided not merely what Fulton might do, what New York might do, but for all future time what was the law regulating the navigable waters of this great continent. Courts of arbitration, that is temporary courts, grow out of a quarrel, to settle that quarrel; they disappear when that quarrel is ended, and settle nothing but the quarrel. Courts of law create, interpret, declare, establish, maintain, those great principles of jurisprudence by which the community is governed in the future. This, therefore, is what we stand for: a judicial tribunal, having a judicial continuity and history, so constituted that it may officially interpret and apply the great principles of justice between nations.

But it is said, there are questions we cannot submit to such a tribunal. I think some gentleman on this floor said, "Suppose a footpad attacked you in the street, would you submit that to arbitration?" I should, instantly. The first thing I would do would be to cry "Police!" and when the policeman came I should say, "Take this man to the police court, and I will go too, and we will have that permanent court of arbitration decide whether I keep my watch or he shall have it." It would only be in case there was no court to which I had access that I should defend myself; and as I am not much of an athlete and never go armed, I should probably surrender my watch! All questions between man and man are submitted to the decisions of a court. All questions between State and State are submitted to the decision of a court. And the principle that all questions between nation and nation shall be submitted to the arbitrament of an impartial tribunal would not detract from the sovereignty, the safety, the dignity, or the nobility of a nation.

Let us not be mistaken; let us not misunderstand. The issue is between the animal and the spiritual. It is between the child of the tiger and the child of God. It is between reason and brute force. It is the issue between Christianity and barbarism. Let us not misunderstand; the proposal introduced into the Senate of the United States,— I am glad to say, apparently not seriously entertained by that dignified body,— to appropriate a hundred million dollars for fortifications along our seacoast, is not a proposal for national defence. Who proposes to put forts along the Mexican border? Who does not know that from the mouth of the Penobscot to Vancouver the long border line between Canada and the United States is without any fortification, and the lakes without a man-of-war, because England and America have agreed that it shall be so, and we live in peace? What do we fear, that we must spend millions on millions of dollars upon coast fortifications? Spain? For twelve long months she has been trying to put down a handful of guerillas in her own Cuba, and cannot do it! Are we to stand in dread of her? Or England? A hundred years ago, when we were but thirteen feeble States, with scarcely as large a population as now makes up the Greater New York, she tried in vain to conquer us. No, let us not misunderstand the issue. On the one side the proposal of prodigiously increasing navy and army and fortifications is a proposal that appeals to the tiger in man; on the other side is the proposal for a permanent tribunal, which shall administer justice between nation and nation, as for many centuries courts have administered justice between individual and individual, and for a hundred years courts have administered justice between State and State upon this American continent,— a proposal for the maintenance of law and the supremacy of reason. (Applause.)

A PERMANENT TRIBUNAL THE BEST SOLUTION.

BY WILLIAM ALLEN BUTLER, OF THE NEW YORK BAR.

That was a wise maxim of Lord Bacon that in counsel all dangers should be considered, and in execution none. We have reached the point in the deliberations of this Conference where, having taken counsel, it will be in order to plan and determine for future action. In taking counsel, it has been most serviceable that so much time and attention have been given to obstacles and difficulties; and I think that the careful and instructive *caveat* which was presented last evening by our distinguished friend Mr. Kasson had its proper place in our deliberations. It was a wise caution against that raw haste which is "half-sister to delay," against that precipitance of sentiment and imagination which sometimes impels "fools to rush in where angels fear to tread." And yet, giving all due weight to those examples and instances which are deduced from history and from experience, it will not do to leave out of view, in any movement for reform and progress, that supreme element of enthusiasm which is its vital instinct and power. If Henry of Navarre, in the sixteenth century, could keep the peace of France as between Huguenot and Romanist, and could forecast a period of union among all the States of Europe, placing himself, for the moment, with his white plume, amongst those

> "Who rowing hard against the stream,
> Saw distant Gates of Eden gleam,
> And did not dream it was a dream",—

certainly we at the end of the nineteenth century, upon a higher plane of civilization and Christian faith, are not to be charged as dreamers or enthusiasts if we believe that it is possible, at this period of time to unite, for peaceful methods in the solution of international difficulties, the great nations of the earth. It is only an advance step in that cheerful optimism which enabled our friend Mr. Kasson to see, in the message of December last which came like a thunderbolt out of a clear sky, and scared two hemispheres with the apprehension of war, a message of "peace and goodwill." (Laughter.)

Some things, it seems to me, have been settled already in this Conference; and I will briefly enumerate what I take to be the concensus of opinion here. In the first place, it seems clear that we have arrived at the conclusion that the basis of this movement is its moral force. The results that are sought here do not belong to the sphere of political economy alone, although political economy of course is in touch with them; nor yet to the relations between labor and capital, although that is distinctly involved; nor even to the mere humanities, though humanity never was before such a life-saving institution as